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Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 CU-02 ERDA-05 AGRE-00 INT-05
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E.O. 11652: N/A
TAGS: TGEN, PFOR, MARR, SP
SUBJECT: U.S.-SPANISH JOINT COMMITTEE FOR SCI. AND TECH.
COOPERATION: DRAFT PD & M AGREEMENT

REF: STATE 92931

1. REFTEL, PARA. 2, PD & M FUND AGREEMENT: THE DRAFT WHICH FOLLOWS WAS PREPARED BY EMBASSY BASED ON A LONG SERIES OF DISCUSSIONS WITH THE SPANISH SIDE, TAKING AS BASE THE U.S. PROPOSALS FOR PD & M FUND ESTABLISHMENT THAT WERE REJECTED BY THE SPANISH SIDE AFTER THE OCTOBER MEETING. IN DRAFTING, WE HAVE COMBINED ESTABLISHMENT AND PROCEDURES IN ONE DOCUMENT. WHILE WE BELEIVE CHANCES FOR SPANISH ACCEPTANCE ARE GOOD, BASED ON EARLIER CONTACTS AND THE RESPONSE TO THIS DRAFT OF JOINT COMMITTEE SECRETARY BENAVIDES, CO-CHAIRMAN BARROSO IS OUT OF THE COUNTRY AND HAS NOT SEEN THIS DRAFT. HE MAY WISH TO SUGGEST CHANGES. WE REQUEST DEPARTMENT'S COMMENT AND SUGGESTED CHANGES AS SOON AS POSSIBLE, TO LEAVE TIME FOR NEGOTIATION OF DIFFERENCES PRIOR TO THE MAY 16 MEETING.

2. DRAFT FOLLOWS: "ESTABLISHMENT AND PROCEDURES OF THE PROGRAM DEVELOPMENT AND MANAGMENT FUND.
"(1) THE PROGRAM DEVELOPMENT AND MANAGEMENT FUND IS ESTABLISHED FOR THE PAYMENT OF EXPENSES OF U.S. AND
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SPANISH PERSONNEL INVITED BY THE JOINT COMMITTEE TO MAKE CERTAIN STUDIES IN THE JOINT COMMITTEE'S INTEREST. THESE STUDIES WOULD HAVE AS THEIR PURPOSE THE INVESTIGATION AND EVALUATION OF POTENTIAL MUTUALLY BENEFICIAL COOPERATIVE ACTIVITIES IN FURTHERANCE OF THE JOINT COMMITTEE'S BROAD AND LONG-RANGE GOALS. PRIMARILY, THE STUDIES WOUDL BE ON SINGLE OR MULTI-

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DISCIPLINARY SCIENTIFIC AND TECHNOLOGICAL FIELDS IN
WHICH NO ACTIVITIES HAVE BEEN FUNDED BY THE JOINT
COMMITTEE THROUGH ITS OPEN PROPOSAL PROCEDURES.

"(2) THE FUND WILL RECEIVE AN INITIAL ALLOCATION OF
$25,000 FROM MONEYS MADE AVAILABLE BY THE GOVERNMENT
OF THE UNITED STATES IN U.S. FISCAL YEAR 1977, EITHER
FROM THE SO-CALLED FIFTH TRANCHE OF THE 1970 AGREEMENT
FOR FRIENDSHIP AND COOPERATION OR FROM THE FIRST
TRANCHE (FY77) OF THE 1976 TREATY OF FRIENDSHIP AND
COOPERATION.

"(3) THE INITIAL AMOOUNT OF $25,000 WILL BE PLACED IN
THE SPANISH BANK CHOSEN BY THE SECRETARIAT OF THE
JOINT COMMITTEE FOR THE DEPOSIT OF THIS AND OTHER
JOINT COMMITTEE FUNDS WHICH THE SECRETARIAT ADMINISTERS.

"(4) THE FUND MAY BE REPLENISHED FROM TIME TO TIME AS
THE JOINT COMMITTEE SHALL DECIDE, IT BEING UNDERSTOOD
THAT EXPENDITURES FROM THE FUND WILL NOT NORMALLY
EXCEED $25,000 IN ANY ONE U.S. FISCAL YEAR.

"(5) EITHER SIDE OF THE JOINT COMMITTEE MAY AT ANY TIME
RECOMMEND TO THE OTHER SIDE THAT A STUDY BE UNDERTAKEN
IN A SPECIFIC AREA. THIS RECOMMENDATION MAY INCLUDE
THE NAMES OF PERSONS OR ORGANIZATIONS WHICH IT CONSIDERS
COMPETENT TO UNDERTAKE THE STUDY.

"(6) DECISIONS ON THE RECOMMENDATIONS MADE BY EITHER
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SIDE WILL NORMALLY BE TAKEN AT REGULAR MEETINGS OF
THE JOINT COMMITTEE, BUT AN URGENT CASE MAY BE DECIDED
BY AN EXCHANGE OF LETTERS BETWEEN THE CO-CHAIRMEN,
BASED ON A PRESENTATION OF THE CASE MADE TO THEM BY
THE SECRETARY. THE ACTION TAKEN BY CORRESPONDENCE
WOULD BE RATIFIED FOR THE RECORD AT THE NEXT REGULAR
MEETING OF THE JOINT COMMITTEE.

"(7) FOLLOWING A DECISION BY BOTH SIDES THAT A STUDY
SHOULD BE MADE IN A SPECIFIC AREA, THE SECRETARY WILL
ISSUE AN INVITATION TO THE SPANISH OR U.S. INDIVIDUALS
OR TEAMS OR TO BINATIONAL TEAMS TO UNDERTAKE THE STUDY,
REQUESTING A STUDY PLAN AND BUDGET. THESE ON RECEIPT
IN THE SECRETARIAT WILL BE CIRCULATED TO THE MEMBERS OF
THE JOINT COMMITTEE FOR COMMENT. WHEN A FINAL STUDY
PLAN AND BUDGET HAS BEEN APPROVED BY THE JOINT COMMITTEE,
THE SECRETARY IS AUTHORIZED TO DISBURSE TO THE STUDY
DIRECTOR SUCH AMOUNTS AS ARE NECESSARY TO INITIATE THE
STUDY AND THEREAFTER AS REQUIRED TO COMPLETE IT,

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SUBJECT TO PROOF OF PROGRESS.

"(8) DISBURSEMENTS FROM THE FUND WILL NORMALLY BE MADE TO COVER TRANSPORTATION, PER DIEM AND OTHER AUTHORIZED TRAVEL EXPENSES FROM ONE COUNTRY TO THE OTHER, BUT MAY ALSO COVER THE DIRECT EXPENSES OF THE INDIVIDUAL OR TEAM FOR THE PREPARATION OF THE REPORT (TYPING, TRANSLATION, ILLUSTRATIONS, PRINTING OR COPYING, ETC.). IN EXCEPTIONAL CASES, HONORARIA OR PERSONAL SERVICE FEES MAY BE PAID, SUBJECT TO SUCH LIMITS AS THE JOINT COMMITTEE MAY IMPOSE.

"(9) TRAVEL EXPENSES WILL BE AUTHORIZED IN ACCORDANCE WITH THE UNIFORM TRAVEL REGULATIONS ADOPTED BY THE JOINT COMMITTEE.

"(10) THE SECRETARY SHALL REPORT AS INSTRUCTED BY THE
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JOINT COMMITTEE ON THE STATUS OF STUDIES COMPLETED OR IN PROGRESS." END DRAFT.

3. THE $25,000 LEVEL FOR ANNUAL PD & M FUNDING WAS SUGGESTED BY THE SPANISH SIDE. IN LIGHT OF THE SPANISH PROPOSAL THAT TOTAL FUNDING FOR SECRETARIAT EXPENSES AND PD & M NOT EXCEED 2-1/2PERCENT OF AVAILABLE FUNDS, SPANISH REGARD $100,000 FIGURE ORIGINALLY SUGGESTED BY DEPARTMENT TOO HIGH. HOWEVER, WE BELIEVE THEY HAVE SOME FLEXIBILITY ABOUT EXACT TOTALS. EATON

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